

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of Docket No: Q61721
Tsuyoshi KITAHARA
Appln. No.: 09/708,514 Group Art Unit: 2853
Confirmation No.: 1708 Examiner: An H. DO
Filed: November 9, 2000
For: INK-JET RECORDING HEAD AND METHOD OF MANUFACTURING THE SAME

REPLY BRIEF PURSUANT TO 37 C.F.R. § 41.41

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.41, Appellant respectfully submits this Reply Brief in response to the Examiner's Answer dated January 18, 2007. Entry of this Reply Brief is respectfully requested.

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STATUS OF CLAIMS

Claims 1, 3, 4, 7 and 54 are pending in the Application, of which claim 7 was withdrawn as being directed to a non-elected invention in the July 12, 2004, Response to the June 10, 2004, Restriction Requirement. Since the June 10, 2004, Restriction Requirement indicates that claim 1 is generic, and claim 7 depends from claim 1, Applicant has not canceled claim 7.

Accordingly, claims 1, 3, 4 and 54 currently stand rejected and are the basis of this appeal.

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GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

As set forth in the January 13, 2005 Appeal Brief:

- A.** . Claim 1 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by JP 08-187868 to Nakamura et al. ("Nakamura").
- B.** Claims 3, 4 and 54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakamura in view of U.S. Patent No. 6,158,847 to Usui et al. ("Usui").
- C.** Claim 7 as previously rejected under 35 U.S.C. § 103(a) over Nakamura in view of JP 06-023982 to Okazawa et al. ("Okazawa"). (Appellant understands that claim 7 has been withdrawn subsequent to the April 21, 2004 Appeal Brief. However, since claim 1 is considered to be generic, Appellant incorporates the previous arguments provided for claim 7, as set forth below.)

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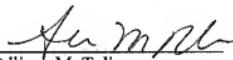
ARGUMENT

The previous Examiner's Answer of March 10, 2006, was remanded by the Board due to a discrepancy with regard to the references cited therein. In the current Examiner's Answer of January 18, 2007, the Examiner acknowledges that the incorrect reference number for the Nakamura reference was listed in the previous Examiner's Amendment. The grounds of rejection and responsive arguments in the current Examiner's Amendment of January 18, 2007, remain the same. Accordingly, Appellant incorporates herein, all arguments as presented in the May 9, 2006 Reply Brief. No further comments and/or arguments are presented at this time.

CONCLUSION

For the reasons set forth in the May 9, 2006, Reply Brief and the January 13, 2005, Appeal Brief, Appellant respectfully requests that the Board reverse the Examiner's rejections of all claims on Appeal. An early and favorable decision on the merits of this Appeal is respectfully requested.

Respectfully submitted,



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Date: March 19, 2007 (since March 18, 2007 fell on a Sunday)